

## Message Text

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ACTION OES-07

INFO OCT-01 ARA-06 EUR-12 EA-07 ISO-00 FEA-01 ACDA-07

AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 EPG-02

COME-00 DLOS-09 DODE-00 DOTE-00 EB-07 EPA-01

ERDA-05 FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13

JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OMB-01 PA-01

PM-04 PRS-01 SP-02 SS-15 USIA-06 /138 W

-----231917Z 009863 /43

P R 231652Z MAY 77

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC PRIORITY 3865

INFO ALL EC CAPITALS

AMEMBASSY BRASILIA

AMEMBASSY PARAMARIBO

AMEMBASSY SEOUL

AMEMBASSY TOKYO

AMCONSUL MARTINIQUE

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E.O. 11652: N/A

TAGS: EEC, EFIS, PLOS

SUBJECT: US FISHERY OFF FRENCH GUIANA

REF (A) STATE 116855, (B) EC BRUSELS 4806

1. AS INSTRUCTED REF A, DCM CALLED ON DIRECTOR GENERAL FOR FISHERIES GALLAGHER TO BRING TO THE COMMISSION'S ATTENTION USG CONCERN REGARDING THE EC REGULATION LIMITING TO 65 THE NUMBER OF US SHRIMP FISHING VESSELS PERMITTED TO FISH OFF FRENCH GUIANA. BEFORE MAKING THE POINTS IN PARAS 2, 3 AND 5 REF A AND PARAS 5 AND 6 REF B, THE DCM POINTED OUT TO GALLAGHER THAT THE US HAS NOT YET BEEN OFFICIALLY INFORMED BY THE EC OF THE REGULATION WHICH WE UNDERSTAND WENT INTO EFFECT MAY 17, THE DATE OF ITS PUBLICATION IN THE OFFICIAL JOURNAL. HE REQUESTED A DELAY IN THE APPLICATION

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OF THE LICENSING REGULATION SINCE IT MAY TAKE CONSIDERABLE TIME ("WEEKS RATHER THAN DAYS") FOR THE USG TO COLLECT THE APPLICATIONS FROM INTERESTED US FISHERMEN, REDUCE THE NUMBER TO 65 IN SOME EQUITABLE WAY AND SUBMIT THE APPLICATIONS TO THE EC PRESIDENCY COUNTRY.

2. GALLAGHER SAID THAT ALTHOUGH TECHNICALLY FRENCH ENFORCEMENT

LICENSES HAVE BEEN LEGALLY REQUIRED SINCE MAY 17, WE CLEARLY HAVE GOOD GROUNDS TO REQUEST A DELAY. HE WARNED, HOWEVER, THAT WE SHOULD NOT EXPECT MUCH SYMPATHY ON THE PART OF THE MEMBER STATES IN VIEW OF US LACK OF FLEXIBILITY LAST MARCH IN PREVENTING THE ITALIANS TO FISH OUT THEIR SMALL QUOTAS PENDING COMPLETION OF EC PROCEDURES TO BRING THE US-EC GIFA INTO FORCE. THE DCM PROTESTED THAT THE TWO CASES ARE TOTALLY DISSIMILAR SINCE THE US HAD INFORMED THE EC IN DECEMBER AS TO THE APPLICATION FORMS AND PROCEDURES FOR OBTAINING LICENSES IN MARCH. IN FACT, ALL THESE ADMINISTRATIVE PROCEDURES HAD BEEN COMPLETED IN TIME. GALLAGHER SAID THAT HE WOULD INFORM THE EC MEMBER STATES AT A MEETING THIS AFTERNOON OF THE US REQUEST AND ASKED THAT WE SUBMIT A FORMAL REQUEST BY NOTE TO FOLLOW UP OUR ORAL REQUEST.

3. THE REMAINDER OF THE CONVERSATION CONSISTED OF AN INCONCLUSIVE DEBATE REGARDING: (A) THE ACCURACY OF DATA ON SHRIMP FISHING ACTIVITY OFF BRAZIL AND THE GUIANAS; (B) THE EC CONTINUED CLAIM THAT IT IS IN US INTERESTS TO ACCEPT THE EC POSITION THAT THERE IS NO SHRIMP SURPLUS IN THE AREA; AND (C) EC INSISTENCE ON THE NEED TO LIMIT SHRIMP FISHING OFF FRENCH GUIANA. GALLAGHER SAID THAT HE WOULD WELCOME ANY SCIENTIFIC INFORMATION COMPLIED BY THE USG OR SCIENTIFIC ORGANIZATIONS (NOT RPT NOT BY THE INDUSTRY, WHICH HE DOES NOT TRUST) ON SHRIMP FISHING IN THE AREA. HE SAID THAT THE EC WOULD ALSO BE PREPARED TO CONSIDER EVIDENCE THAT THE EC WOULD ALSO BE PREPARED TO CONSIDER EVIDENCE THAT THE YEARLY CATCH OF THE AVERAGE SHRIMP FISHING VESSEL IS 30 RATHER THAN 60 TONS AND THAT THE LIMITATIONS ON VESSELS COULD THUS BE DOUBLED WITHOUT NECESSARILY INCREASING THE TOTAL CATCH, ALTHOUGH HE SAID HE DOUBTED THE VALIDITY OF SUCH A CLAIM.

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4. IN THE COURSE OF THE DISCUSSION ON THE US POSITION ON SURPLUS AND QUOTAS FOR THIRD COUNTRIES, GALLAGHER CHARGED THAT THE US ACTUALLY PREVENTS CAPTURE OF SOME SPECIES BY NOT PROVIDING QUOTAS FOR SUCH FISH EVEN THOUGH NO OFFICIAL FINDING HAS BEEN MADE THAT LIMITATIONS ON CATCH MAY BE REQUIRED. HE WAS UNABLE TO PROVIDE SPECIFIC EXAMPLES OF SUCH SPECIES, HOWEVER.

5. DURING THE CONVERSATION, GALLAGHER SEEMED TAKEN ABACK WHEN IT WAS POINTED OUT THAT THE USG WOULD NOT BE ABLE TO ASSURE THAT US FISHING BOATS BASED IN FRENCH GUIANA WOULD NOT BE CUT BACK AS SEVERELY AS OTHER US FISHING BOATS FISHING IN THE AREA SINCE THE USG COULD NOT FAVOR ONE COMPANY OR FLEET OVER ANOTHER. HE CLEARLY HAD EXPECTED THAT LICENSES WOULD BE REQUESTED FOR ALL US VESSELS BASED IN CAYENNE BEFORE REQUESTS FOR VESSELS BASED ELSEWHERE.

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AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 EPG-02

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6. AT THE END OF THE CONVERSATION, WHEN GALLAGHER MADE CLEAR THAT THERE WAS LITTLE GIVE IN THE EC POSITION, THE DCM RAISED THE POSSIBILITY OF LIMITING THE RESTRICTON TO 65 VESSELS "PRESENT AT ANY ONE TIME" IN ORDER TO GIVE THEUS A SLIGHTLY BETTER CHANCE TO MAINTAIN ITS CATCH AT THE 1975 LEVEL. GALLAGHER SAID THAT A DISTINCTION BETWEEN THE NUMBER OF BOATS LICENSED AND THOSE PERMITTED TO OPERATE IN THE AREA AT THE SAME TIME WAS INTENDED FOR DISTANT FISHING FLEETS, I.E., THOSE WHICH HAD TO TRAVEL HUNDREDS OF MILES TO ET TO THE FISING GROUNDS. IN CONTRAST, HE SAID, SMALL SHRIMP FISHING VESSELS BEGIN FISHING SHORTLY AFTER LEAVING PORT. HE PROMISED TO BRING OUR SGGESTION, HOWEVER, TO THE ATTENTION OF THE MEMBER STATE DELEGATES AS WELL AS OUR VIEW THAT LIMITING THE US SHRIMP FISHING FLEET OFF FRENCH GUIANA TO 65 WILL NOT PERMIT USTO HARVEST THE SAME QUANTITY OF SHRIMP AS N 1975.

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7. ACTION REQUESTED: A) WE REQUEST URGENT AUTHORIZATIN TO SUBMIT

A NOTE REQUESTING A DELAY OF "SEVERAL" WEEKS BEFORE ENFORCING THE LICENSING REGIME IN ORDER TO PERMIT THE USG TO COMPLETE THE NECESSARY PROCEDURES TO COLLECT APPLICATIONS FOR FISHERY LICENSES OFF FRENCH GUIANA AND TO SUBMIT THEM TO THE PRESIDENCY COUNTRY (PARA 2 ABOVE). B) SUPPLY ANY AVAILABLE SCIENTIFIC INFORMATION ON SHRIMP FISHING OFF BRAZIL AND THE GUIANAS (PARA 3 ABOVE) TO SUPPORT OUR POSITION THAT THERE IS NO BASIS TO RESTRICT CATCH. ALSO ADVISE US WHETHER THERE ARE ANY EXAMPLES OF FISH SPECIES WHICH THE USG IS NOW PERMITTING THIRD COUNTRIES TO CATCH EVEN THOUGH THE US HAS NOT DECLARED A NEED TO IMPOSE CATCH LIMITATIONS ON SUCH SPECIES (PARA 4 ABOVE). (GALLAGHER CITES THIS AS JUSTIFICATION FOR EC TO "PROTECT" SHRIMP FROM "UNLIMITED CATCH" EVEN IF THERE IS NO PRESENT NEED TO RESTRICT CATCH FOR CONSERVATION PURPOSES.) C) ANY EVIDENCE TO COUNTER GALLAGHER'S CLAIM THAT BOATS ARE ALL THE SAME SIZE (I.E., ANNUAL CATCH OF 60 TONS) AND THAT THEY ARE ALL AVAILABLE TO FISH AT ABOUT THE SAME TIME FROM NEARBY PORTS.  
HINTON

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Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009